

To: Members of the Planning Board

From: John Holt, Chair

Re: Amendments to Gravel Ordinance, Section 8.D. Restoration performance standards

Date: March 20, 2018

Ordinance currently reads:

Section 8. D. Restoration

1. Reclamation Plan

Any area from which Gravel has been extracted and from which no further Gravel extraction is either proposed by the pit operator or eligible for permitting by the Planning Board under the terms of the Ordinance shall be restored to a natural state within the specifications set forth below:

- a. No slopes shall have an incline greater than 2.5 horizontal to 1 vertical (2.5:1). Slopes greater than 2.5:1 shall be regraded, except that a steeper slope may be allowed if slope stability analysis is submitted showing that there will be no failure or sloughing of slopes.
- b. All disturbed surfaces shall be covered with a minimum of four (4) inches of topsoil. Any topsoil which was stripped prior to Gravel extraction and which is retained on premises shall be seeded, mulched, or otherwise stabilized. Additional topsoil shall be obtained from off-site sources if needed to fully cover all disturbed surfaces.
- c. Vegetative material used in Restoration shall consist of native grasses, legumes, herbaceous, or woody plants or a mixture thereof. The owner/operator shall guarantee that if, after two years from the restoration completion date, more than fifteen (15) percent of the planted area does not sustain vegetation, the failed areas shall be replanted. (See *Maine Erosion and Sediment Control BMP, 3/2003*, and any subsequent amendments.)
- d. All structures, such as refueling pads and gates, shall be removed and all access, haul or other support roads shall be subject to Restoration once no longer used.
- e. Restoration activities shall be completed within one year of commencement.

Changes:

-amend e. by adding two subparagraphs:

- (1) **Restoration of previously excavated areas proposed or required as part of a Gravel Permit must be completed within one year of the date of permit issuance. Failure to complete Restoration within the required time frame shall be deemed as sufficient grounds for:**
 - (a) revocation of an existing Gravel Permit; and/or
 - (b) denial of a subsequent Gravel Permit for the same parcel until such time as required restoration is completed.
- (2) **Restoration of a discontinued pit must be completed within one year of the date of discontinuance.**

The above change would require a change in the Definition of Discontinued Pit:

Current Definition reads:

The term 'Discontinued Gravel Pit' shall mean a Gravel Pit which is no longer permitted by the Lamoine Planning Board. A Gravel Pit may be designated as discontinued due to either expiration of or revocation of an existing permit. A permit may be revoked as set forth in Section 7.H. A discontinued Gravel Pit shall be restored according to the provision set forth in Section 8.D.

Amended Definition would read:

The term 'Discontinued Gravel Pit' shall mean a Gravel Pit which is no longer permitted by the Lamoine Planning Board. A Gravel Pit may be designated as discontinued due to either expiration of or revocation of an existing permit. A permit may be revoked as set forth in Section 7.H **or Section 8.D.1.e.(1)**. A discontinued Gravel Pit shall be restored according to the provision set forth in Section 8.D.